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RECEIVED JAN 25 2012
Kenneth DeBorh Reed
(937-2002) *Ed.*

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Harold Abrahamson & John P. Reed

Facsimile: (219) 937-3174 Serves:
Scott R. Bilse & Jonathan E. Halm

January 25, 2012

CERTIFIED MAIL, RETURN RECEIPT

Deena Sheppard, Enforcement Specialist
United States Environmental Protection Agency - Region 5
Superfund Division SE-5J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590



In re: Request for Information Pursuant to Section 104(e) of CERCLA regarding the
Gary Development Landfill Site located at 479 Cline Avenue, in the City of Gary,
Lake County, Indiana.
CERCLIS ID No: IND077005916

Dear Ms. Sheppard:

I am the attorney representing Commercial Waste Systems, Inc. ("Commercial Waste"). By way of introduction, Commercial Waste, (also formerly known as Home Sanitation) is a small family owned company founded by Ronald Venema. Since Mr. Venema's passing, the company has been operated by his wife Thelma Venema, and his daughter, Amy Wellman. Commercial Waste has been a paper recycling company since the mid 1970's, and not involved in the collection or disposal of "municipal solid waste". Commercial Waste, in addition to paper recycling, was involved, on a very small scale, in the hauling and disposal of construction and demolition roll-off containers, a practice which the company ceased in the early 1990's. Home Sanitation, the predecessor to Commercial Waste, was a small local trash hauler that serviced residential and commercial accounts with the removal of general refuse, or municipal solid waste.

I have spoken at length with Ms. Amy Wellman, the General Manager of Commercial Waste Systems. Ms. Wellman has stated, unequivocally, that neither Commercial Waste nor Home Sanitation has ever been in the business of the hauling or disposal of Hazardous Waste(s). In point of actual fact, Commercial Waste and Home Sanitation had, back in the late 1980's, been brought into an action regarding the disposal of Hazardous Waste(s) in a lawsuit styled as "*6500 Industrial Highway Group, and Unincorporated Association v. K.A. Steel Co, et al.*", Civil Action No. H89-0282. From what I can gather, Commercial Waste/Home Sanitation was/were named in the above-entitled suit based upon some bills of lading supplied to Commercial Waste/Home Sanitation by the plaintiffs. However, the bills of lading were altered by hand in an apparent effort of commit some sort of ruse. "Union 76 Oil Company" was scratched off of the bill of

RECEIVED 10 10 1966

lading and the word "Home" was written in its place. Apparently someone took the handwritten word "Home" to mean Home Sanitation. I have attached these alleged bills of lading for your review as a part of Exhibit A.

Based upon this "evidence", Commercial Waste/Home Sanitation was voluntarily dismissed from the suit in 1991. (See Exhibit B). Thereafter, and in December of 1994, Commercial Waste/Home Sanitation was again named by the EPA as a potentially responsible party regarding contamination at the Conservation Chemical Company of Illinois, Inc. site in Gary, Indiana. (The same site referenced in the above-entitled 1989 lawsuit). In response to the inquiry of the EPA in 1994, Commercial Waste sent the correspondence attached hereto as Exhibit A as its response, along with the Affidavits enclosed therein. Thereafter, and on March 13, 1995, EPA sent the correspondence attached hereto as Exhibit C. Exhibit C is a certified letter from EPA stating that Commercial Waste may not be a potentially responsible party, and that Commercial Waste would be notified if additional information became available. Suffice it to state that nothing else was ever received.

Your Request for Information states that "EPA believes that Commercial Waste possesses information that may assist the Agency in its investigation of the site." Being that we are a very small company, and that we do not haul or dispose of Hazardous Waste, it will be especially difficult to provide any relevant information for your investigation. In addition, the Gary Development Landfill site opened some 36 years ago and closed some 23 years ago. The company simply does not have records dating back that far related to the Gary Development Landfill. We do not even possess accounting records dating back to the time in question.

I am apprehensive to answer the Information Request found in Enclosure 6 because virtually the entire request asks questions about Hazardous Waste, which we do not handle. I am aware that we have a duty to answer your requests, and to do so quite promptly. This is a duty neither myself nor the company take lightly. However, if you could share with me any information you have concerning Commercial Waste or Home Sanitation contributing to the issues at the site, it would be greatly appreciated.

Very truly yours,



John P. Reed

Commercial Waste Systems, Inc.

Innovative Recycling

P.O. BOX 435
CROWN POINT
INDIANA 46307

(219) 769-7444
(312) 842-7681
FAX (219) 662-0918



December 6, 1994

Ms. Cynthia N. Kawakami
Assistant Regional Counsel
Office of Regional Counsel
Region 5
U.S. Environmental Protection Agency
CS-29A
77 West Jackson Blvd.
Chicago, IL 60604-3590

RE: Conservation Chemical Company of Illinois, Inc. Site,
Gary, Indiana

Dear Cynthia:

Thank-you for taking the time to speak with me on several occasions regarding the above-mentioned matter. As indicated in our conversations, I believe that Commercial Waste Systems/Home Sanitation was mistakenly brought into this matter by the 6500 Industrial Highway Group and request that our company be dismissed from the pursuant matter as soon as possible. In support of this request for dismissal, I have given a very brief history of the facts (noted together in this letter and the attached documents), have attached copies of the "linking documents" from your office which we received through a FOIA request, as well as three affidavits and a copy of our dismissal from the 6500 Industrial Highway Group vs. K.A. Steel suit.

As a brief background, Commercial Waste Systems is a small local paper company in the business of recycling. Prior to Commercial Waste Systems, Home Sanitation was a small local trash company which serviced both residential and commercial accounts for the removal of general refuse, one of which was the CCCI site in Gary. Commercial Waste Systems/Home Sanitation was first brought into this matter by the 6500 Industrial Highway Group in 1989 and was dismissed in March of 1991. At that time, we dutifully explained what our current and prior company did, and also explained that neither our current company, nor the former company, had ever been in the business of hauling hazardous substances or waste. Hence, we requested documentation supporting the 6500 Group's allegations.

EXHIBIT A

The 6500 Group produced the same bills of lading which our company received from your office through the FOIA request. These bills of lading, which are attached, have Union 76 Oil Company's typewritten name scratched out and the name Home is written in place with what looks like a felt tip pen. In addition, these bills of lading state Lemont, Illinois, as the shipping point and CCCI of Gary, Indiana, as the destination site. However, at no time did Commercial Waste Systems or Home Sanitation ever ship, act as carrier from, or do business in Lemont, Illinois.

At that time, in support of these facts, I drafted two affidavits, one from my father, Ronald E. Venema, owner of Commercial Waste Systems/Home Sanitation, and one from Art Davis, former CCCI plant manager. These affidavits were provided to the 6500 Group in 1990, and our company was subsequently dropped from the litigation. A copy of each affidavit previously mentioned is attached to this correspondence.

In addition, since my father is now deceased, I have attached an affidavit from myself, as general manager of Commercial Waste Systems, attesting to these facts.

In sum, based on the supporting documentation and facts in this matter, we would appreciate being dismissed from this case as soon as possible. If I may be of any further assistance to yourself or any other member of your office regarding this matter, I may be reached at the above-mentioned number.

Very Truly Yours,

Amy J. Wellman, Esquire and
General Manager

ATTACHMENTS

- A. EPA's Linking Documents to Commercial Waste Systems/Home Sanitation
- B. Affidavit of Ronald E. Venema
- C. Affidavit of Arthur E. Davis
- D. Affidavit of Amy J. Wellman
- E. Dismissal of Commercial Waste Systems/Home Sanitation in 6500 Industrial Highway Group vs. K.A. Steel

COPY

THIS MEMORANDUM is an acknowledgment that a bill of lading has been issued and is not the Original Bill of Lading, nor a copy or duplicate, covering the property named herein, and is intended solely for filing or record. RECEIVED subject to the classifications and tariffs in effect on the date of issue of this Original Bill of Lading.

BILL OF LADING NO

17164

SHIPPER'S NO.

CARRIER'S NO.



CONSERVATION CHEMICAL COMPANY OF ILLINOIS

The property described herein is shipped under order, except as noted hereon, and condition of packages unknown, marked, packaged, and delivered as indicated below, which said carrier (the word carrier being understood throughout this bill of lading to mean any person or corporation in possession of the property) agrees to carry to its usual place of delivery or usual destination, if so its route, otherwise to deliver to consignee carrier on the route to said destination; it is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route to destination, and as to each party or any party interested in all or any of said property, that (consignee) shall be responsible for all the transportation, including the bill of lading, (1) in Illinois (if route destination is outside of this state), if this is a rail or a motor carrier, or (2) in the applicable state carrier classification or tariff; it is mutually agreed, as to each carrier of all or any of said property, that the carrier shall be a carrier with all the terms and conditions of the said bill of lading, including those on the back hereon, and that the classification of work which governs the transportation of the shipment and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns. (Mail or street address of consignee - For purposes of notification only.)

AT: **LEWIS, ILLINOIS**

FROM

9-14 13**H. One**

NAME OF CARRIER

COCI

CONSIGNEE TO

CONSERVATION CHEMICAL COMPANY OF ILLINOIS 5500 INDUSTRIAL AVENUE

DESTINATION

CAIR

STATE

INDIANA

COUNTY

DAKE

ROUTE

(To be filled in only when shipper desires and governing tariffs provide for delivery thereon.)

P.O. NO.

DELIVERING CARRIER

CONSERVATION CHEMICAL COMPANY OF ILLINOIS

CAR OR VEHICLE INITIALS & NO

A3 #119

NO. PACKAGES	DESCRIPTION	WEIGHT GROSS TO GROSS	CLASS OR RATE	CHECK COLUMN
	GALLONS OF SPENT SLUDGE SOLUTION			
	NON CHARGE			

(Signature of consignee)

If charges are to be prepaid, write on stamp here, "To Prepaid."

Received by
in reply to prepayment of charges on the property of
consignee.

Agent or Carrier

For (The signature here indicates
acknowledges only the amount prepaid
charges indicated.)

NOTE - Where the rate is determined by value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding \$

SHIP AGENT MUST DETACH AND RETAIN THIS SHIPPING ORDER AND MUST SIGN THE ORIGINAL BILL OF LADING

9-14 13**H. One****COCI**Shipper, Per **V. D. CAMP**

DEPART TERMINAL	GROSS WEIGHT	TARE WEIGHT	NET WEIGHT	HOSE	PUMP	WEIGH	DEBURRAGE GAC
ARRIVE TERMINAL							
TOTAL TIME							
ARRIVE PLANT							
START LOAD							
FINISH LOAD							
DEPART PLANT							
TOTAL TIME IN PLANT	HRS.	MIN.					

DRIVER'S SIGNATURE

REMARKS:

FILE COPY

A

THIS MEMORANDUM is an acknowledgment that a bill of lading has been issued and is not the Original Bill of Lading, nor a copy or duplicate, covering the property named herein, and is intended solely for filing or record. RECEIVED, subject to the classifications and tariffs in effect on the date of issue of this Original Bill of Lading.

BILL OF LADING NO

17163



CONSERVATION CHEMICAL COMPANY OF ILLINOIS

SHIPPER'S NO

The property described below, in apparent good order, except as noted (contents and condition of packages, etc.), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any part of said route to destination, and as to each party of any time mentioned in all or any of said property that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Freight Bill of Lading set forth in (1) the Uniform Freight Classification in effect on the date hereof, if this is a bill of lading, or (2) in the applicable motor carrier classification or tariff if this is a motor carrier shipment. Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, motor carrier classification or tariff, and that he agrees to the same. (Mail or street address of consignee - For purposes of notification only.)

CARRIER'S NO

AT: **DEPOIT, ILLINOIS** FROM: **UNION 76 OIL COMPANY** *Home*

9-13

1973

NAME OF CARRIER **CCCI**

CONSIGNEE TO: **CONSERVATION CHEMICAL COMPANY OF ILLINOIS 6500 INDUSTRIAL HIGHWAY** (Mail or street address of consignee - For purposes of notification only.)

DESTINATION **GARY** STATE **INDIANA** COUNTY **LAKE**

ROUTE (To be filled in only when shipper desires and governing tariffs provide for delivery thereat.)

DELIVERING CARRIER **CONSERVATION CHEMICAL COMPANY OF ILLINOIS** CAR OR VEHICLE INITIALS & NO. **A3 #119**

NO. PACKAGES	DESCRIPTION	WEIGHT LBS. TO COS.	CLASS OR RATE	CHECK COLUMN	(Signature of consignee)
500	GALLONS OF SPIRIT ALCOHOL SOLUTION				
	NON ORGANIC				

NOTE: Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding

SHIP AGENT MUST DETACH AND RETAIN THIS SHIPPING ORDER AND MUST SIGN THE ORIGINAL BILL OF LADING

CCCI Shipper, **W. D. CAMP**

UNION 76

Agent, Per

DEPART TERMINAL	ARRIVE TERMINAL	TOTAL TIME	ARRIVE PLANT	START LOAD	FINISH LOAD	DEPART PLANT	TOTAL TIME IN PLANT	HRS.	MIN.	GROSS WEIGHT	TARE WEIGHT	NET WEIGHT	HOSE	PUMP	WEIGH	REMARKS

DRIVER'S SIGNATURE

REMARKS:

Jackson

FILE COPY

THIS MEMORANDUM is an acknowledgment that a bill of lading has been issued and is not the Original Bill of Lading, nor a copy or duplicate, covering the property named herein, and is intended solely for filing or record. RECEIVED subject to the classifications and tariffs in effect on the date of issue of this Original Bill of Lading.

BILL OF LADING NO

17160



CONSERVATION CHEMICAL COMPANY OF ILLINOIS

SHIPPER'S NO.

CARRIER'S NO.

AT: **LEVONT, ILLINOIS**

FROM

WERNER TO STE COMPANY

Home

9-13

19 **73**

NAME OF
CARRIER

COCI

CONSIGNEE TO

(Mail or street address of consignee for purposes of notification only)

CONSERVATION CHEMICAL COMPANY OF ILLINOIS

6500 INDUSTRIAL HIGHWAY

DESTINATION

CAKY

STATE

INDIANA

COUNTY

LAKE

ROUTE

(To be filled in only when shipper desires and governing tariffs provide for delivery thereof.)

P.O. NO.

DELIVERING CARRIER

CONSERVATION CHEMICAL COMPANY OF ILLINOIS

CAR OR VEHICLE INITIALS & NO.

A3 #119

NO. PACKAGES	DESCRIPTION	FRIGHT PER TO CAR	CLASS OR RATE	ORIGIN COUNTRY
5,000	GALLONS OF SPORT SLEDGE SOLUTION NON ORGANIC			

NOTE: Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding _____ per _____.

AGENT MUST DETACH AND RETAIN THIS SHIPPING ORDER AND MUST SIGN THE ORIGINAL BILL OF LADING

WERNER TO STE COMPANY

Home Agent, Per

COCI

Shipper, Per

W. D. CAMP

DEPART TERMINAL	GROSS WEIGHT	TARE WEIGHT	NET WEIGHT	HOSE	PUMP	WEIGH	DEMURAGE CH
ARRIVE TERMINAL	MILES OUT						
TOTAL TIME	MILES IN						
ARRIVE PLANT	DELAY AT TERMINAL						
START LOAD							
FINISH LOAD							
DEPART PLANT							
TOTAL TIME IN PLANT	HRS. MIN.						

DRIVER'S SIGNATURE

REMARKS:

Jackson
K. D. Emery

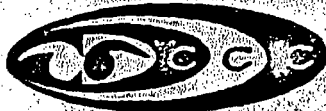
FILE COPY

THIS MEMORANDUM is an acknowledgment that a bill of lading has been issued and is not the Original Bill of Lading, nor a copy or duplicate, covering the property named herein, and is intended solely for filing or record. RECEIVED, subject to the classifications and tariffs in effect on the date of issue of this Original Bill of Lading.

BILL OF LADING NO.

17161

SHIPPER'S N



CONSERVATION CHEMICAL COMPANY OF ILLINOIS

The property described herein is, upon receipt, in possession of the property under the contract) agree to carry to its usual place of delivery or destination, if on its route, otherwise to deliver to another car on the route to said destination. It is mutually agreed, as to each carrier, of all or any of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Freight Bill of Lading set forth (1) in Uniform Freight Classification in effect on the date hereof, if this is a motor carrier shipment, or (2) in the applicable motor carrier classification or tariff if this is a motor carrier shipment. Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, and that he agrees to the same, and that he agrees to the classification or tariff which governs the transportation of the shipment and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his heirs, assigns and assigns. For purposes of notification only.)

CARRIER'S N

AT: **LEWISTON, ILLINOIS**

FROM

WISCONSIN TO ILLINOIS

Home

9-13

1973

NAME OF CARRIER

CCCI

CONSIGNEE TO

CONSERVATION CHEMICAL COMPANY OF ILLINOIS 6500 INDUSTRIAL BLVD

(Mail or street address of consignee for purposes of notification only.)

DESTINATION

CAIRY

STATE

ILLINOIS

COUNTY

LAKE

ROUTE

(To be filled in only when shipper desires and governing tariffs provide for delivery thereat.)

P.O. NO.

DELIVERING CARRIER

CONSERVATION CHEMICAL COMPANY OF ILLINOIS

CAR OR VEHICLE INITIALS & NO.

AB 4115

NO. PACKAGES	DESCRIPTION	WEIGHT SUB. TO CO.	CLASS OR RATE	CHECK COLUMN
<i>500</i>	GALLONS OF SPENT SLODGE SOLUTION NON ORGANIC			

NOTE: Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding

CCCI

Shipper, Per

V. D. CAMP

AGENT MUST DETACH AND REPAIR THIS SHIPPING ORDER AND MUST SIGN THE ORIGINAL BILL OF LADING

Agent, Per

DEPART TERMINAL	GROSS WEIGHT	TARE WEIGHT	NET WEIGHT	HOSE	PUMP	WEIGH	DEMURRAGE G.
ARRIVE TERMINAL	MILES OUT						
TOTAL TIME	MILES IN						
ARRIVE PLANT	DELAY AT TERMINAL						
START LOAD							
FINISH LOAD							
DEPART PLANT							
TOTAL TIME IN PLANT	HRS.	MIN.					

DRIVER'S SIGNATURE

REMARKS:

Jackson

FILE COPY

AFFIDAVIT OF RONALD E. VENEMA

I, Ronald E. Venema, named as a defendant in the matter of 6500 Industrial Highway Group vs. K.A. Steel, hereby declare the following:

1. I, Ronald E. Venema is owner and operator of Commercial Waste Systems Inc., hereinafter referred to as CWS.

2. CWS, and its predecessor, Home Sanitation Service, have been in operation since 1964. Home Sanitation Service, as CWS' predecessor, was in operation from 1964 to 1977.

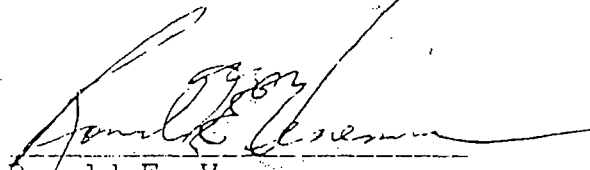
3. From 1964 to 1977 CWS' primary source of business was to service several thousand residential accounts in Lake County, Indiana, for weekly removal of household refuse. In addition to the residential accounts, CWS also serviced approximately 100 commercial accounts in Lake County for similar removal of general refuse. Such accounts included restaurants, supermarkets, retail stores, and small manufacturers, with one of those being Conservation Chemical Company of Illinois, Inc., of Gary, Indiana, hereinafter referred to as CCCI.

4. Since 1977, and to the present date, CWS' enterprise has consisted of brokering paper stock, corrugated and computer print-out, from commercial sites to recycling mills.

5. During the time that CWS serviced CCCI, approximately 1965-1977, CWS was contracted to (1) pick-up general solid waste material for disposal at the Gary City Dump, and (2) transport detinned steel scrap from M&T Chemical Corporation of East Chicago, Indiana, to the CCCI site in Gary.

6. At no time did CWS transport, handle, or engage in any activity whereby hazardous substances were brought to or disposed of at the CCCI site.

Wherefore, I attest that the foregoing is true and accurate and to the best of my knowledge.



Ronald E. Venema
Commercial Waste Systems Inc.

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Before me, A Notary Public in and for said County and State,
did personally appear Ronald E. Venema, who acknowledged the
execution of the foregoing Affidavit of Ronald E. Venema.

WITNESS my hand and Notarial seal, this 26th day of March,
1990.

Elaine Vanderburg

Commission Expires: 2-19-94

Notary Public
Lake County, Indiana

AFFIDAVIT OF ARTHUR E. DAVIS

I, Arthur E. Davis, pertaining to the matter of 6500 Industrial Highway Group vs. K.A. Steel, hereby declare the following:

1. I, Arthur E. Davis, was the Plant Manager for Conservation Chemical Company of Illinois, Inc., hereinafter referred to as CCCI, of Gary, Indiana, from July, 1973, to June, 1975.

2. While I was the plant manager for CCCI my duties included, but were not limited to, the overseeing of all commercial vehicles either bringing materials into or leaving with materials from the CCCI site.

3. During my employment at CCCI I knew of Ronald E. Venema and his business Home Sanitation Service. Home Sanitation Service serviced CCCI in that Home's trucks picked-up general solid waste and trash for disposal.

4. At no time during my employment at CCCI did Home Sanitation Service transport, handle, or engage in any activity whereby hazardous substances were brought to or disposed of at the CCCI site.

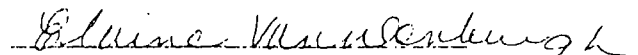
Wherefore, I attest that the foregoing is true and accurate and to the best of my knowledge.


Arthur E. Davis

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Before me, A Notary Public in and for said County and State, did personally appear Arthur E. Davis, who acknowledged the execution of the foregoing Affidavit.

WITNESS my hand and Notarial seal, this 26th day of March, 1990.


Notary Public
Lake County, Indiana

Commission Expires:

2-19-94

C

AFFIDAVIT OF AMY J. WELLMAN

I, Amy J. Wellman, whose place of employment is named in the matter of Conservation Chemical Company of Illinois, Inc. Site, Gary, Indiana, hereby declare the following:

1. That I am the current general manager of Commercial Waste Systems.

2. That my predecessor in this position was Ronald Venema, my father and employer.

3. That as an employee and family member I have intimate knowledge of both Commercial Waste Systems and Home Sanitation.

4. That Commercial Waste Systems is a small local paper company in the business of recycling, and its predecessor, Home Sanitation, was a small local trash company which serviced both residential and commercial accounts, one of those accounts being the CCCI plant in Gary, Indiana.

5. That during both my lifetime and employment by Commercial Waste Systems, I know of no occasion where Commercial Waste Systems or Home Sanitation was involved in the transportation of hazardous material personally or in our company's records. In addition, to this date, neither Commercial Waste Systems nor Home Sanitation has ever shipped, acted as a carrier from, or done business in Lemont, Illinois.


6. That Commercial Waste Systems was named in litigation regarding the aforementioned matter by the 6500 Group in 1989. In response to the 6500 Group's allegations, I researched this matter and was the representative for Commercial Waste Systems. As such, I drafted the attached affidavits for both my father, Ronald Venema, and CCCI's former plant manager, Art Davis.

7. That subsequent to our providing the 6500 Group with Ronald Venema's and Arthur Davis' affidavits, and the 6500 Group giving no explanation why the name Home name was written on the side of the scratched out name of Union 76 Oil Company, Commercial Waste Systems/Home Sanitation was subsequently dropped from the 6500 Group's litigation.

Wherefore, I attest that the foregoing is true and accurate and to the best of my knowledge.

VICTORIA MARCINOV
NOTARY PUBLIC, Lake County, Indiana
My Commission Expires November 23, 1997
Resident Of Lake County, Indiana

Victoria Marcina


Amy J. Wellman, Esquire and
General Manager,
Commercial Waste Systems

FILED

MAR 18 1991

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

At _____ M
RICHARD E. TIMMONS, CLERK
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

6500 INDUSTRIAL HIGHWAY GROUP,
an Unincorporated Association,

Plaintiff,

vs.

K. A. STEEL CO., et al,

Defendants.

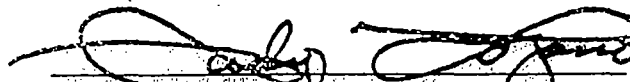
CIVIL ACTION NO. H89-0282

ORDER

This matter is before the Court on Plaintiff's Notice of Dismissal. Upon consideration and the Court being duly advised

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Defendants, COMMERCIAL WASTE SYSTEMS and JENSEN-SOUDERS & ASSOCIATES, INC., be and hereby are DISMISSED without prejudice.

SO ORDERED this 18TH day of March, 1991.


JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

FILED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

MAR 15 1991

RICHARD E. THIMMONS, CLERK
U. S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

6500 INDUSTRIAL HIGHWAY GROUP,
an Unincorporated Association

Plaintiff,

vs.

K. A. STEEL CO., et al

Defendants.


CIVIL ACTION NO. H89-0282

NOTICE OF DISMISSAL

Comes now the Plaintiff, 6500 INDUSTRIAL HIGHWAY GROUP, an Unincorporated Association, by and through its attorneys, Burke, Murphy, Costanza Cuppy, by David K. Ranich and give notice of the dismissal of Defendants, COMMERCIAL WASTE SYSTEMS and JENSEN-SOUDERS & ASSOCIATES, INC. None of the above-referred Defendants have filed an answer or a motion for summary judgment, and pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, notice is hereby given that the Defendants, COMMERCIAL WASTE SYSTEMS and JENSEN-SOUDERS & ASSOCIATES, INC. are dismissed without prejudice.

Respectfully submitted,

BURKE, MURPHY, COSTANZA & CUPPY
Attorneys for Plaintiff



DAVID K. RANICH
720 W. Chicago Avenue
East Chicago, IN 46312
(219) 397-2401

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of March, 1991, I served a true and complete copy of the attached pleadings or papers upon each party or attorney of record listed in the attached Service List by depositing same in the United States mail in envelopes properly addressed to each of them, and with sufficient first-class postage affixed.



DAVID K. RANICH
720 W. Chicago Avenue
East Chicago, IN 46312
(219) 397-2401



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

MAR 13 1995

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

HSE-5J

Amy J. Wellman
Esquire and General Manager
Commercial Waste Systems, Inc.
P.O. Box 435
Crown Pt, IN 46307

RE: Conservation Chemical Company of Illinois, Inc. Site
Gary, Indiana

Dear Ms. Wellman:

After a review of available information, the United States Environmental Protection Agency (U.S. EPA) has determined that your company may not be a potentially responsible party under CERCLA, in the Conservation Chemical Company of Illinois, Inc. matter. At this time your company is being removed from the list of potentially responsible parties, however, should additional information become available, U.S. EPA will notify you.

Please contact Cynthia Kawakami of the Office of Regional Counsel at (312) 886-0564, or Linda Beasley, Enforcement Specialist, at (312) 353 - 2071, if you have any questions. Thank you for your cooperation and attention to this matter.

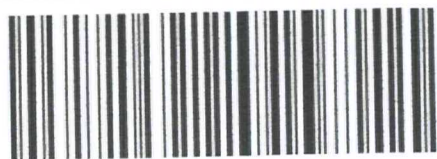
Sincerely,

Richard C. Karl, Chief
Emergency & Enforcement Response Branch

EXHIBIT C



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ABRAHAMSON, REED & BILSE

ATTORNEYS AT LAW

200 RUSSELL STREET

HAMMOND, INDIANA 46320-1818

To:

Deena Sheppard, Enforcement Specialist
United States Environmental Protection
Agency – Region 5
Superfund Division SE-5J
77 West Jackson Boulevard
Chicago, IL 60604-3590



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